

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT DIABETES CARE INC. and)	
ABBOTT DIABETES CARE LIMITED,)	
)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-1699-KAJ
)	
DEXCOM, INC.,)	
)	
Defendant.)	

**DEFENDANT’S DEXCOM, INC.’S MOTION
DISMISS UNDER RULE 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant DexCom, Inc. (“DexCom”) respectfully moves to dismiss the Second and Third Causes of Action in Plaintiffs Abbott Diabetes Care Inc.’s Complaint filed in the above-captioned action. Abbott’s claims for breach of the implied covenant of good faith and fair dealing and for declaratory judgment are facially defective.

The grounds for DexCom’s motion are set forth more fully in DexCom’s Opening Brief, submitted herewith.

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